

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

What Is Claimed Is:

1 – 13. (cancelled)

14. (currently amended) A computer based method for ranking a set of patents according to strength, comprising:

analyzing said set of patents by consideration of at least one objective parameter of each patent in said group, said at least one objective parameter selected from the group consisting of: ~~number of claims within patent, number of independent claims within patent, number of citations to prior publications within each patent cited by a patent examiner, number of other patents which contain a citation to each said patent, number of patents owned by others which contain a citation to each said patent,~~ number of elements in an independent claim of said each said patent, ~~and number of elements in an exemplary claim of each said patent,~~ and number of linguistic or textual components in at least one independent claim in said each patent~~[[,]]; and,~~

assigning a strength ranking to said each patent responsive to said analysis, wherein said analyzing and assigning are ~~[[is]]~~ performed by a general-purpose computer specially programmed to perform said analyzing and assigning.

15-21. (cancelled)

22. (currently amended) An apparatus for ranking a set of patents according to strength, comprising:

means for analyzing said set of patents by consideration of at least one objective parameter of each patent in said group, said at least one objective parameter selected from the group consisting of: ~~number of claims within patent, number of independent claims within said each patent, number of citations to prior publications within each patent cited by a patent~~

~~examiner, number of other patents which contain a citation to each said patent, number of patents owned by others which contain a citation to each said patent, number of elements in an independent claim of said each said patent, and number of elements in an exemplary claim of each said patent, and number of linguistic or textual components in at least one claim in said each patent [[,]]; and,~~

means for assigning a strength ranking to said each patent responsive to said analysis,
wherein said means for analyzing and said means for assigning are [[is]] located in at least one general-purpose computer.

23-51. (cancelled).

52. (new) The method recited in Claim 14 further comprising:

identifying each independent claim in said each patent;

determining a number of elements in said each independent claim; and,

for said each patent, identifying a respective first independent claim from among said each independent claim, where said respective first independent claim has a smallest said number of elements and where said steps of identifying each independent claim, determining, and identifying a respective first independent claim are performed by said general purpose computer.

53. (new) The method recited in Claim 52 wherein assigning a strength ranking further comprises assigning a higher ranking to said each patent having a smaller said number of elements in said respective first independent claim.

54. (new) The method recited in Claim 52 wherein assigning a strength ranking further comprises assigning a highest ranking to said each patent having a smallest said number of elements in said respective first independent claim.

55. (new) The method recited in Claim 52 further comprising:
identifying each semi-colon in said each independent claim; and,
determining a number of said semi-colons in said each independent claim, where said identifying and determining are performed by said general purpose computer; and,
wherein determining a number of elements in said each independent claim further comprises relating said number of elements in said each independent claim to said number of said semicolons.

56. (new) The method as recited in Claim 55 wherein relating said number of elements further comprises adding the number one to said number of said semicolons.

57. (new) The method recited in Claim 14 further comprising:
identifying said at least one independent claim;
identifying said linguistic or textual components in said at least one independent claim;
determining a number of said linguistic or textual components in said at least one independent claim; and,
for said each patent, identifying a respective second independent claim from among said at least one independent claim, where said respective second independent claim has a smallest said number of linguistic or textual components and where said identifying said at least one independent claim, said identifying components, said determining, and said identifying a second independent claim are performed by said general purpose computer.

58. (new) The method recited in Claim 57 wherein assigning a strength ranking further comprises assigning a higher ranking to said each patent having a smaller said number of linguistic or textual components in said respective second independent claim.

59. (new) The method recited in Claim 57 wherein assigning a strength ranking further comprises assigning a highest ranking to said each patent having a smallest said number of linguistic or textual components in said respective second independent claim.

60. (new) The method recited in Claim 14 wherein analyzing said set of patents by consideration of number of linguistic or textual components further comprises counting a number of terms in said at least one independent claim in said each patent.

61. (new) The apparatus recited in Claim 22 further comprising:
means for identifying each independent claim in said each patent;
means for determining a number of elements in said each independent claim; and,
for said each patent, means for identifying a respective first independent claim from among said each independent claim, where said respective first independent claim has a smallest said number of elements and where said means for identifying each independent claim, determining, and identifying a respective first independent claim are located in said at least one general purpose computer.

62. (new) The apparatus recited in Claim 61 wherein said means for assigning a strength ranking further comprises means for assigning a higher ranking to said each patent having a smaller said number of elements in said respective first independent claim.

63. (new) The apparatus recited in Claim 61 wherein said means for assigning a strength ranking further comprises means for assigning a highest ranking to said each patent having a smallest said number of elements in said respective first independent claim.

64. (new) The apparatus recited in Claim 61 further comprising:
means for identifying each semi-colon in said each independent claim; and,

means for determining a number of said semi-colons in said each independent claim, where said means for identifying and determining are located in said at least one general purpose computer; and,
wherein said means for determining a number of elements in said each independent claim further comprises means for relating said number of elements in said each independent claim to said number of said semicolons.

65. (new) The apparatus as recited in Claim 64 wherein said means for relating said number of elements further comprises means for adding the number one to said number of said semicolons.

66. (new) The apparatus recited in Claim 22 further comprising:

means for identifying said at least one independent claim;

means for identifying said linguistic or textual components in said at least one independent claim;

means for determining a number of said linguistic or textual components in said at least one independent claim; and,

for said each patent, means for identifying a respective second independent claim from among said at least one independent claim, where said respective second independent claim has a smallest said number of linguistic or textual components and where said means for identifying said at least one independent claim, said means for identifying components, said means for determining, and said means for identifying a second independent claim are located in said at least one general purpose computer.

67. (new) The apparatus recited in Claim 66 wherein said means for assigning a strength ranking further comprises means for assigning a higher ranking to said each patent having a smaller said number of linguistic or textual components in said respective second independent claim.

68. (new) The apparatus recited in Claim 66 wherein said means for assigning a strength ranking further comprises means for assigning a highest ranking to said each patent having a smallest said number of linguistic or textual components in said respective second independent claim.

69. (new) The apparatus recited in Claim 22 wherein said means for analyzing said set of patents by consideration of number of linguistic or textual components further comprises means for counting a number of terms in said at least one independent claim in said each patent.